UNITED NATIONS

ECONOMIC AND SOCIAL COUNCIL

Distr.
GENERAL

E/CN.7/1991/24
20 December 1990

ORIGINAL: ENGLISH

COMMISSION ON NARCOTIC DRUGS
Thirty-fourth session
Vienna, 30 January-8 February 1991
Item 12 (b) of the provisional agenda*

OTHER MATTERS

MATTERS ARISING FROM THE FORTY-FIFTH SESSION OF THE GENERAL ASSEMBLY

Functioning of the Commission on Narcotic Drugs and its subsidiary bodies

Note by the Secretariat

1. The General Assembly, in its resolution 45/179 of 21 December 1990, requested the Commission on Narcotic Drugs, at its thirty-fourth regular session, to consider ways and means of improving its functioning as a policy-making body and to report its recommendations to the Economic and Social Council at its first regular session in 1991. It also requested the Secretary-General to transmit his report on the enhancement of the efficiency of the United Nations structure for drug abuse control and its addendum (A/45/652 and Add.1 of 23 October 1990 and 24 October 1990, respectively) to the Commission on Narcotic Drugs, so that it could be taken into account by the Commission when discussing ways and means of improving its functioning.

2. The present Note has been prepared to assist the Commission to respond to the request of the General Assembly.

A. Terms of reference of the Commission on Narcotic Drugs and background

Charter functions

3. As successor to the Advisory Committee on Traffic in Opium and Other Dangerous Drugs of the League of Nations, the Commission on Narcotic Drugs is one of the six functional commissions of the Economic and Social Council. It was established by Council resolution 9 (I) of 16 February 1946, which laid down its terms of reference as follows:

"The Commission shall:

---

*E/CN.7/1991/1/Rev.1.

V.90-90491 7302T

"(a) Assist the Council in exercising such powers of supervision over the application of international conventions and agreements dealing with narcotic drugs as may be assumed by or conferred on the Council;

"(b) Carry out such functions entrusted to the League of Nations Advisory Committee on Traffic in Opium and other Dangerous Drugs by the international conventions on narcotic drugs as the Council may find necessary to assume and continue;

"(c) Advise the Council on all matters pertaining to the control of narcotic drugs, and prepare such draft international conventions as may be necessary;

"(d) Consider what changes may be required in the existing machinery for the international control of narcotic drugs and submit proposals thereon to the Council;

"(e) Perform such other functions relating to narcotic drugs as the Council may direct."

Treaty functions

4. In addition to the functions assigned to the Commission by its terms of reference or other decisions of the Council (Charter functions), it has treaty functions granted to it by provisions of the Single Convention on Narcotic Drugs of 1961, as amended by the 1972 Protocol Amending the Single Convention on Narcotic Drugs of 1961, 1/ the Convention on Psychotropic Substances of 1971, 2/ and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances adopted in 1988 (E/CONF.82/15 and Corr.2), or earlier narcotics treaties. In accordance with article 8 of the 1961 Convention, as amended by the 1972 Protocol, article 17 of the 1971 Convention and article 21 of the 1988 Convention, the Commission may consider all matters pertaining to the aims of each Convention. Under article 8 of the 1961 Convention, as amended by the 1972 Protocol, and article 17 of the 1971 Convention, the Commission may make recommendations relating to the implementation of the aims and provisions of those Conventions. Under article 21 of the 1988 Convention, the Commission may review the operation of that Convention. In connection with the performance of its functions, the Commission may request the Parties to submit information, in accordance with article 18 of the 1961 Convention as amended by the 1972 Protocol, article 16 of the 1971 Convention and article 20 of the 1988 Convention.

5. The Commission may also take decisions on the scope of control of the Conventions under article 3 of the 1961 Convention, as amended by the 1972 Protocol, and article 2 of the 1971 Convention. It may amend the tables of substances frequently used in the illicit manufacture of narcotic drugs and psychotropic substances under article 12 of the 1988 Convention. Such decisions may be subject to review according to a special procedure.

6. Article 8, paragraph (b), of the 1961 Convention, as amended by the 1972 Protocol, authorizes the Commission to call the attention of the International Narcotics Control Board, United Nations Secretariat, to any matters that may be relevant to the functioning of the Board.

Membership and composition

7. The membership of the Commission was originally 15. It was increased by the Economic and Social Council to 21 by its resolution 845 (XXXII), section II, of 3 August 1961; to 24 by its resolution 1147 (XLI) of 4 August 1966; to 30 by its resolution 1663 (LII) of 1 June 1972; and to 40 by its resolution 1983/5 of 24 May 1983.

8. In accordance with Council resolution 845 (XXXII), section II, of 3 August 1961, and resolution 1147 (XLI) of 4 August 1966, members are elected from among the States Members of the United Nations and of the specialized agencies and the Parties to the Single Convention on Narcotic Drugs, 1961, with due regard to the adequate representation of countries that are important producers of opium or coca leaves, of countries that are important in the field of the manufacture of narcotic drugs, and of countries in which drug addiction or the illicit traffic in narcotic drugs constitutes an important problem and taking into account the principle of equitable geographical distribution.

9. In addition to the States members of the Commission, other States may attend its sessions as observers. At its eleventh special session, for example, the Commission was attended by 99 States: 39 States members and 60 States represented by observers.

Terms of office

10. The term of office of members is four years (the term of office was extended from three to four years by Council resolution 1156 (XLI), section II, of 5 August 1966, with effect from 1 January 1968). Twenty members are elected every other year.

Periodicity of sessions

11. Since its inception in 1946, the Commission has met annually, with the exception of 1967 and 1972 when the dates of the sessions were postponed until the beginning of the following year. The total number of sessions held to date is 44 (33 regular and 11 special). The dates and duration of the sessions of the Commission held since 1946, as well as the average duration of meetings per decade, are set out in the annex to the present document.

Report of the Commission

12. The report of the Commission on Narcotic Drugs is submitted to the Economic and Social Council at its first regular annual session. The report incorporates the recommendations of the Commission in the form of draft resolutions and draft decisions calling for action by the Council, as well as resolutions and decisions of the Commission itself.

Workload

13. The workload of the Commission has increased steadily, especially since the mid-1970s. The sharp increase in drug abuse and illicit trafficking has required that more attention be devoted to these problems at the international level.

14. Furthermore, from 1971, in order to improve the organization of work of the Economic and Social Council, the meetings of certain functional commissions, including the Commission on Narcotic Drugs, became biennial. However, in view of the obligations imposed on the Commission and on the International Narcotics Control Board by the 1961 Convention, as amended by the 1972 Protocol, and bearing in mind that biennial sessions do not permit the Commission to fulfil certain of its responsibilities, the Council decided in its resolution 1778 (LIV) of 18 May 1973 that the Commission should hold a special session in 1974. Since 1974, the Commission has held special sessions in the years between its regular biennial sessions (see paragraph 11 above).

15. At the request of the General Assembly in its resolutions 32/124 of 16 December 1977, 33/168 of 20 December 1978, 34/177 of 17 December 1979 and 35/195 of 15 December 1980, the Commission formulated, in 1981, an International Drug Abuse Control Strategy containing a basic five-year programme of action (1982-1986). The Commission then acted as a task force to review the implementation of the Strategy and reported on it to the Assembly, for the last time in 1987.

16. In 1984, in its resolution 39/141 of 14 December 1984, the Assembly requested that the Commission be requested to initiate the preparation of a draft convention against illicit traffic in narcotic drugs. The Commission reviewed the progress of the draft convention until its adoption by a plenipotentiary conference in December 1988. The United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances entered into force on 11 November 1990. The Convention, under article 21, provides for additional monitoring by the Commission of the operation of that Convention, which involves new areas such as confiscation (article 5), extradition (article 6) and mutual legal assistance (article 7).

17. In its resolution 40/122 of 13 December 1985, on the recommendation of the Secretary-General, the Assembly decided to convene, in 1987, an International Conference on Drug Abuse and Illicit Trafficking and requested that the Commission be invited to act as the preparatory body for the Conference. The ninth special session, and the thirty-second session of the Commission in 1986 and 1987, respectively, were each extended by one week to enable the Commission to carry out that task.

18. In its decision 44/410 of 14 November 1989, the General Assembly requested the Commission, at its eleventh special session, to consider the question of the enhancement of the role of the United Nations in the fight against illicit drugs and to formulate its views thereon for the benefit of the work of the Assembly at its seventeenth special session, convened from 20 to 23 February 1990. At that special session, the Assembly adopted the Political Declaration and the Global Programme of Action on international co-operation against illicit production, supply, demand, trafficking and distribution of narcotic drugs and psychotropic substances set out in resolution S-17/2. In paragraph 97 of that resolution, the Assembly agreed that the Commission should continuously monitor the progress on the implementation of the Global Programme of Action, thereby increasing the workload of the Commission.

B. Subsidiary bodies of the Commission on Narcotic Drugs

Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East

Terms of reference

19. The Sub-Commission on Illicit Drug Traffic and Related Matters in the Near and Middle East was established, subject to the authorization of the Economic and Social Council, by the Commission on Narcotic Drugs at its twenty-fifth session in its resolution 6 (XXV). The Council, in its resolution 1776 (LIV) of 18 May 1973, authorized the establishment of the Sub-Commission.

20. In accordance with resolution 6 (XXV), the functions of the Sub-Commission are to study the implementation of the recommendations of the Ad Hoc Committee on Illicit Traffic in the Near and Middle East (E/CN.7/550); to propose for this purpose, if appropriate, supplementary recommendations to the Commission; and to formulate recommendations to the Commission on other related matters, as determined by the Sub-Commission itself or requested by the Commission.

Membership and composition

21. The representatives of the members of the Sub-Commission and of its working group are nominated by their Governments, in consultation with the Secretary-General, and subsequently confirmed by the Council.

22. The Sub-Commission initially consisted of representatives of Afghanistan, the Islamic Republic of Iran, Pakistan, Sweden and Turkey. Following Council resolution 1988/14 of 25 May 1988, 1989/120 of 22 May 1989, 1990/218 and 1990/219 of 24 May 1990, the membership of the Sub-Commission was enlarged to include Bahrain, Egypt, India, Jordan, Kuwait, Lebanon, Oman, Qatar, Saudi Arabia, Syrian Arab Republic, United Arab Emirates and Yemen.

Meetings of heads of national drug law enforcement agencies: Asia and the Pacific, Africa, Latin America and the Caribbean, and Europe

Terms of reference

23. The meetings of heads of national drug law enforcement agencies (HONLEA) not only provide a mechanism for regional and interregional co-operation and co-ordination in the field of drug law enforcement and other areas of international drug control, but also, in particular, serve to co-ordinate activities and countermeasures relating to the suppression of illicit traffic in narcotic drugs and psychotropic substances. The four regional meetings of HONLEA, which cover Africa, Asia and the Pacific, Latin America and the Caribbean, and Europe, have the status of subsidiary organs of the Commission on Narcotic Drugs, to which they report.

24. In its resolution 1988/15 of 25 May 1988, the Economic and Social Council confirmed that these regional meetings should, in future, be designated "Meeting of Heads of National Drug Law Enforcement Agencies", followed by an indication of the region.

25. The first regional meeting was for the Asia and Pacific region; it was held at Bangkok in September 1974, pursuant to Council resolution 1845 (LVI)

of 15 May 1974, which requested the Secretary-General to convene regular meetings of the operational heads of the national narcotic law enforcement agencies of the countries of the region. The Fifteenth Meeting of Heads of National Drug Law Enforcement Agencies, Asia and the Pacific, was held in 1990. The First Meeting of Heads of National Drug Law Enforcement Agencies, Africa, was held at Addis Ababa, the headquarters of the Economic Commission for Africa, in April 1987, in accordance with Council resolution 1985/11 of 28 May 1985; the First Meeting of Heads of National Drug Law Enforcement Agencies, Latin America and the Caribbean, was held at Santiago, the headquarters of the Economic Commission for Latin America and the Caribbean, in September and October 1987, in accordance with Council resolution 1987/34 of 26 May 1987. These two regions held their third meetings in 1990.

26. The concept of regional meetings of HONLEA was extended to the European region, pursuant to Council resolution 1990/30 of 24 May 1990; the First Meeting of Heads of National Drug Law Enforcement Agencies, Europe, was held in Moscow in November 1990.

27. Two interregional meetings of HONLEA were held in 1986 and 1989.

Venue of meetings

28. In its resolution 1988/15, the Economic and Social Council requested the Secretary-General to take the necessary measures to convene the regional meetings of HONLEA Asia and the Pacific, Africa, and Latin America and the Caribbean at the capital of States in the respective regions that might wish to act as host or at the headquarters of the regional commission concerned, annually, beginning in 1988, except in years where an interregional meeting was held. It also requested the Secretary-General to provide the financial resources required from available resources and, if necessary, to seek additional extrabudgetary resources. An example of the latter has been the provision of travel expenses and subsistence for participants (one for each country of the region) by the United Nations Fund for Drug Abuse Control.

Membership and composition

29. States from the respective regions are invited to attend the meetings of HONLEA as members, whereas States from outside the region are, at the discretion of the Secretary-General, invited to send observers. Observers for the International Narcotics Control Board, and for the specialized agencies of the United Nations and other intergovernmental organizations, as well as for regional organizations, are also invited to attend. Observers for the International Narcotics Control Board and the Customs Co-operation Council and the International Criminal Police Organization (ICPO/Interpol) attend regularly.

30. Participants at the meetings include the operational heads of national drug law enforcement agencies (heads of police, customs, gendarmerie and/or other law enforcement services) as well as representatives of the ministries of the interior, justice, health and foreign affairs.

31. As requested by the Council in its resolution 1988/15, the Commission on Narcotic Drugs considers the reports or recommendations emanating from its subsidiary organs under a separate agenda item entitled: "Development and promotion of more effective action against illicit drug trafficking through regional co-operation in drug law enforcement".

Notes

1/ United Nations, Treaty Series, vol. 976, No. 14152.

2/ Ibid., vol. 1019, No. 14956.

Annex

COMMISSION ON NARCOTIC DRUGS

Regular and special sessions

Session	From	To	Year	Duration (days)	Location	Members	Country of chairman
First	27 Nov.	13 Dec.	1946	13	New York	15	Canada
Second	24 July	8 Aug.	1947	12	New York	15	Canada
Third	3 May	22 May	1948	16	New York	15	Yugoslavia
Fourth	16 May	3 Jun.	1949	15	New York	15	Yugoslavia
Fifth	1 Dec.	15 Dec.	1950	11	New York	15	India
Sixth	10 Apr.	24 May	1951	33	New York	15	India
Seventh	15 Apr.	9 May	1952	19	New York	15	Mexico
Eighth	30 Mar.	24 Apr.	1953	20	New York	15	Mexico
Ninth	19 Apr.	14 May	1954	20	New York	15	France
Tenth	18 Apr.	12 May	1955	19	New York	15	France
Eleventh	23 Apr.	18 May	1956	20	Geneva	15	United Kingdom
Twelfth	29 Apr.	31 May	1957	25	Geneva	15	United States
Thirteenth	28 Apr.	30 May	1958	25	Geneva	15	Yugoslavia
Fourteenth	27 Apr.	15 May	1959	15	Geneva	15	Yugoslavia
Fifteenth	25 Apr.	13 May	1960	15	Geneva	15	Canada
Sixteenth	24 Apr.	10 May	1961	13	Geneva	15	Canada
Seventeenth	14 May	1 Jun.	1962	15	Geneva	21	Turkey
Eighteenth	29 Apr.	17 May	1963	15	Geneva	21	France
Nineteenth	4 May	9 May	1964	6	Geneva	21	France
Twentieth	29 Nov.	21 Dec.	1965	17	Geneva	21	India
Twenty-first	5 Dec.	21 Dec.	1966	13	Geneva	21	USSR
			1967				
Twenty-second	8 Jan.	26 Jan.	1968	15	Geneva	24	Canada
Twenty-third	13 Jan.	31 Jan.	1969	15	Geneva	24	Switzerland
First special	12 Jan.	30 Jan.	1970	15	Geneva	24	Switzerland
Second special	28 Sept.	3 Oct.	1970	6	Geneva	24	United Kingdom
Twenty-fourth	27 Sept.	21 Oct.	1971	19	Geneva	24	Togo
			1972				
Twenty-fifth	22 Jan.	9 Feb.	1973	15	Geneva	30	United States
Third special	18 Feb.	1 Mar.	1974	10	Geneva	30	Turkey
Twenty-sixth	17 Feb.	28 Feb.	1975	10	Geneva	30	India
Fourth special	16 Feb.	27 Feb.	1976	10	Geneva	30	Mexico
Twenty-seventh	7 Feb.	25 Feb.	1977	15	Geneva	30	USSR
Fifth special	13 Feb.	24 Feb.	1978	10	Geneva	30	Sweden
Twenty-eighth	12 Feb.	23 Feb.	1979	10	Geneva	30	Canada
Sixth special	11 Feb.	20 Feb.	1980	8	Vienna	30	Fed. Rep. Germany
Twenty-ninth	2 Feb.	11 Feb.	1981	8	Vienna	30	Thailand
Seventh special	2 Feb.	8 Feb.	1982	5	Vienna	30	Italy
Thirtieth	7 Feb.	16 Feb.	1983	8	Vienna	30	Argentina
Eighth special	6 Feb.	10 Feb.	1984	5	Vienna	40	Hungary
Thirty-first	11 Feb.	20 Feb.	1985	8	Vienna	40	Madagascar

Session	From	To	Year	Duration (days)	Location	Members	Country of chairman
Ninth special a	10 Feb.	14 Feb.	1986	5	Vienna	40	Finland
Thirty-second b	2 Feb.	11 Feb.	1987	8	Vienna	40	Colombia
Tenth special	8 Feb.	19 Feb.	1988	10	Vienna	40	Nigeria
Thirty-third	6 Feb.	17 Feb.	1989	10	Vienna	40	Pakistan
Eleventh special	29 Jan.	2 Feb.	1990	5	Vienna	40	USSR

a/ The Commission met as the preparatory body for the International Conference on Drug Abuse and Illicit Trafficking from 17 to 21 February 1986.

b/ The Commission met as the preparatory body for the International Conference on Drug Abuse and Illicit Trafficking from 12 to 18 February 1987.

Average duration of meetings per decade

Decade	Average duration (days)
1946-1949	14
1950-1959	21
1960-1969	14
1970-1979	12
1980-1989	8
1990	5